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C O N F I D E N T I A L SECTION 01 OF 05 BRUSSELS 000119

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E.O. 12958: DECL: 01/27/2020
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HA, IR, HU, CH
SUBJECT: EU FOREIGN AFFAIRS COUNCIL, JANUARY - HAITI
DOMINATES THE DISCUSSION

REF: A. USEU BRUSSELS 00090
[1](#)B. USEU BRUSSELS 00088

Classified By: USEU POL M-C Christopher Davis for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Meeting in Brussels on January 25, EU Foreign Ministers focused their attention on the situation in Haiti and discussed how the EU could better support international community relief efforts taking place there. Following an overview of Spanish presidency priorities, discussions in the General Affairs Council (GAC) chaired by Spanish FM Moratinos centered on the role of the body under the Lisbon Treaty. Led by High Representative Ashton for the first time, the Foreign Affairs Council (FAC) engaged primarily in Haiti-related discussions following readouts from both HR Ashton and Development Commissioner de Gucht's recent travels. Ministers agreed to stand up a Brussels-based coordination cell to assist UN efforts and to increase Gendarmerie force levels in Haiti to 300 personnel. Concerning the EU's military operation in Bosnia, Ministers agreed to maintain its executive mandate with a view to expanding the role of the mission to include non-executive functions such as training. During the January 26 EU-Serbia political dialogue, Serbia was told not to expect its EU membership application to be referred soon to the European Commission. Asked at the concluding press conference to comment on remarks by the Spanish ambassador in Beijing about the status of the EU's China arms embargo, Moratinos said that Ministers were debating possible changes, citin@ouncil Conclusions. End `airs Council
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noted (FAC) centered on Haiti. The Council discussed the cordination of the EU's overall response to thQ earthquake in Haiti. Following on its extraordinary meeting of January 18, it agreed that Member States would provide a collective EU contribution of at least 300 police personnel as a temporary reinforcement of the U.N. Stabilization Mission in Haiti's (MINUSTAH) police capability (ref A). In addition, the Council agreed to set up a cell - EUCO Haiti - in Brussels to coordinate Member State military and security support contributions in response to the UN's appeal for such assistance. The purpose of the cell will be to match contributions to needs and maximize the speed and efficiency of the EU's response, avoiding duplication. EUCO Haiti will complement the coordination of the Member States' civil protection contributions by the Commission Monitoring and Information Center (MIC).

[1](#)4. (U) During the post-Council press conference, Ashton said that the purpose of the day's discussions had been to "further reinforce our contribution." She noted that she had

just returned from Washington and New York where she had

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meetings with Secretary Clinton, at the UN, and the World Bank. She announced that Member States had agreed to "provide engineering expertise and equipment." Ashton noted that "maritime capabilities" would also be provided, but shared no details. Concerning police officers, she reported a "collective contribution to "reinforce police capabilities (to ensure security for the relief effort) of at least 300." Ashton said that ministers had also agreed to her proposal to set up a "light coordination cell in Brussels" to "facilitate our contribution to the UN." She said she had briefed the Council about all aspects of her meetings and that the Council had invited her to continue playing a role.

15. (SBU) After Ashton listed EU contributions (Note: fact sheet e-mailed to EUR/ERA), Development Commissioner Karel de Gucht reported on the recent fact-finding visit he made to Haiti with the Directors General of DG Development and DG Humanitarian Aid. De Gucht said they sought information on how to proceed with rehabilitation, noting that he was positively impressed at the organization of the international community there. De Gucht reported being struck that surgeons and nurses were working day and night in circumstances akin to war. (NOTE: De Gucht, a Belgian, may have had in mind the controversy, played up on CNN, over a Belgian medical team leaving a makeshift clinic in Port-au-Prince one night for security reasons. END NOTE) De Gucht put at over 150,000 the number of people seriously injured and said that the distribution of water and food was functioning, although not always smoothly.

16. (U) With 250,000 people currently living in parks and outdoor places, de Gucht said the next urgent problem was setting up more camps. With state structures "practically disappeared," de Gucht stressed the importance of MINUSTAH, despite its own losses during the quake. He put at years the reconstruction effort. He said that at the January 25 Montreal Conference (later that same day) the EU would be "very closely involved" in reconstruction planning.

17. (U) Asked why she had asked French FM Kouchner to speak on her behalf in Montreal (vice the Spanish presidency), HR Ashton answered that she and FM Moratinos had to be in Brussels for the GAC/FAC, so asking Kouchner made sense since he was already going to be there, without taking anything away from the Spanish presidency. Asked if the 300 police officers were above the 220 already there, Ashton said "the overall capacity is 300 as I understand it." Asked about adoptions, Ashton said we must "support children appropriately." Asked why the coordination cell would be located in Brussels and not on the ground in Haiti, Ashton said that there would also be coordination on the ground. Concerning questions as to whether she could have done better, Ashton replied "I've been on the job six weeks, we will look at lessons learned, and I will come forward with proposals."

Foreign Affairs Council - Other Issues

18. (U) Bosnia - The Council decided that the EU would begin to provide non-executive capacity building and training support within EUFOR Operation ALTHEA in Bosnia. It agreed that EUFOR's executive mandate would continue in accordance with UNSCR 1895 and it underlined its readiness to maintain an executive military role to support these efforts beyond 2010 - under a UN mandate - should the situation so require. Drawing from the FAC's written conclusions, Ashton called ALTHEA a "major success." When pressed about the mission's future, Ashton said "our conclusions were not about the future of Bosnia, but we are very clear that Bosnia is one country with different communities and we hope that part of the election campaign will be about their path to the EU - we need to think beyond the elections."

19. (U) Somalia - The Council agreed to set up a Common Security and Defense Policy (CSDP) operation to contribute to the training of the Transitional Federal Government's (TFG)

National Security Forces in Uganda. The intent is to launch the operation, which will take place in Uganda, with the next intake of trainees, scheduled to start in spring 2010 (ref

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B). Ashton confirmed the agreement to set up the training mission in Uganda, telling the press that it was requested by the Somali transitional government. She added that Ministers remained very concerned about the situation in Somalia and would carefully assess it before launching the operation.

¶10. (U) Yemen - Concerning the January 27 London meeting, Ashton said, "We want to listen to the government of Yemen to see how we can do more in terms of aid, but the government of Yemen needs to do more, too." Yemen itself, she added, needs to have "a national dialogue." Contacts in the German and Italian missions told us that the EU wants to focus more on development than on straightforward counter-terrorism or security operations, and wants to coordinate with the U.S. on Yemen policy.

¶11. (U) Afghanistan - Looking ahead to the January 28 London conference, Ashton told the press, "We want to talk to the government about Afghan ownership." She further reported, "We are looking to see how we can bring resources on the ground more effectively - all things that help to create a society - this is an important moment in the debate in terms of what more we can do."

¶12. (U) Iran - Ashton said, "We continue to regret Iran's reluctance to discuss the nuclear issue, they did not respond favorably to our proposal, we have started to consider appropriate further measures, and the discussion will continue in the UNSC." When pressed to say whether the EU and U.S. were headed towards sanctions even without consensus in the UNSC, Ashton said the international community has rules and "obligations within the rules." She added that the Council would consider the result of discussions in the UN Security Council, not preempt them. Pressed to say what kind of measure would be most effective and how long before the EU would consider unilateral action/measures, Ashton apologized for having to give a standard "wait and see" what happens in the UNSC; then "we will then return to the subject."

EU-Serbia Political Dialogue

¶13. (C) On January 26, the EU held its first "political dialogue" (formerly known as Troika) meeting with Serbia since the entry into force of the Lisbon Treaty. At the meeting, chaired by FM Moratinos (per delegation of HR Ashton) and assisted by outgoing Enlargement Commissioner Rehn, we understand that Serbia was told not to expect the Council Secretariat to refer Serbia's EU membership application to the European Commission for its opinion any time soon, despite Serbian FM Jeremic's repeated insistence that this happen as soon as possible. Serbia was told that as a prospective member, it was expected to mirror more closely the decisions of the EU in international bodies, and that recent Serbian votes in the OSCE related to human rights matters (where Serbia aligned itself with Russia) and on the Israel Nuclear Capabilities Resolution (where Serbia aligned itself) application, Rehn said the Commission was ready to start work on its opinion, but Moratinos said the EU-27 were still holding internal consultations on the appropriate timing for the Council to transmit the Serbian application to the Commission for its opinion. Pressed to elaborate on the timetable for the Council's decision,

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Moratinos only said: "We hope it will happen. The sooner the better." FM Moratinos added that the January 26 dialogue enabled the EU and Serbia to discuss "the constructive role that Serbia can play in the Western Balkans," with the main focus on Bosnia and Kosovo. Moratinos also announced plans for holding an EU-Western Balkans Summit in Sarajevo at the end of May, at which Kosovo would, "of course," be

represented.

¶15. (U) Jeremic said his country was "determined to match the success (in EU-Serbia relations) of 2009 in 2010." The Serbian government would continue to do its part in "cooperating fully" with the ICTY. Jeremic expressed hope that the process of ratification of the EU-Serbia Stabilization and Association Agreement (SAA) can start "as soon as possible." He recognized the "critical significance" of regional cooperation in Western Balkans as "one of the key prerequisites for the process of integration into the EU," adding that the Serbian government was committed to "stay the course." Regarding Kosovo, Jeremic said his government "can consult with whomever has a legal mandate." It was "extremely important," he said, "that we work in consultation" with the EU, and Serbia would "stay constructive." Jeremic said Serbia was hoping that "a compromise acceptable to all stakeholders will be found" regarding Kosovo, adding, "We hope the entire region can be integrated in the EU."

China Arms Embargo - Unexpected Topic

¶16. (U) While not a topic for discussion during the FAC or subsequent meetings, the EU's China arms embargo came up during the press point which followed the EU-Serbia dialogue. Asked about press reports based on remarks by the Spanish Ambassador in Beijing (according to which Spain was hoping to "deepen discussions on lifting the ban" currently applied on China by the EU), Moratinos began his reply by making general remarks on "the new role which China is assuming in the world," and the desirability "to improve relations with China to ensure the best possible dialogue." He then referred to "the most recent decision" by the EU on the subject matter, which was "to review the decision on the arms embargo," adding, "We will be weighting the pros and cons." Moratinos further said that a decision on the lifting of the embargo was "subject to the will" of the EU-27 and that "it will be up to the Member states to decide on the best way forward."

¶17. (U) The following is an excerpt from the December 2009 European Council Conclusions:

Begin text: The European Council welcomed the results of the seventh EU-China Summit that took place in The Hague on 8 December. It invited the Council and the Commission to further explore the feasibility of a new EU-China framework agreement and possible cooperation on issues such as re-admission and market economy status. The European Council confirmed that EU-China relations have developed significantly in all aspects in the past years. It is looking forward to further progress in all areas of this relationship as referred to in the EU-China Joint Statement, in particular the ratification of the International Covenant on civil and political rights. In this context the European Council reaffirmed the political will to continue to work towards lifting the arms embargo. It invited the next Presidency to finalize the well-advanced work in order to allow for a decision. It underlined that the result of any decision should not be an increase of arms exports from EU Member States to China, neither in quantitative nor qualitative terms. In this regard the European Council recalled the importance of the criteria of the Code of Conduct on arms exports, in particular criteria regarding human rights, stability and security in the region and the national security of friendly and allied countries. The European Council also stressed the importance in this context of the early adoption of the revised Code of Conduct and the new instrument on measures pertaining to arms exports to post-embargo countries ('Toolbox'). End text.

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¶18. (SBU) USEU Note: The EU arms embargo on China, which was established after the Tiananmen Square events of 1989, was imposed by decision of the European Council (read: the EU heads of state and government) and not by way of a CFSP Common Position, the legal basis for which did not exist at

the time. EU contacts privately told us at the time of the 2004 debate on the possible lifting of the embargo that the original decision by the leaders could therefore only be amended by the leaders (meaning at the level of the European Council operating by consensus). Any discussion with EU officials on the question of the China arms embargo will inevitably touch upon the issue, including the status and effectiveness of the EU code of conduct on arms exports, which has been revised since the 2004 debate. The position of individual Member States can vary over time, depending on the political outlook of their leaders. Germany under Chancellor Schroeder in tandem with then-President Chirac of France, pushed for the lifting of the embargo in 2004. Angela Merkel, by contrast, has resisted lifting the embargo.

Other Meetings

¶19. (U) Ministerials with the Kazakh OSCE Presidency and a political dialogue with Cape Verde were also held in conjunction with the FAC.

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